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Letter dated 9 July 2001 from the Secretary-General addressed to the President of the Security Council

I have the honour to submit to you, and through you to the members of the Security Council, the text of an exchange of letters between the Secretariat of the United Nations and the Permanent Mission of Iraq to the United Nations extending, in the light of Security Council resolution 1360 (2001) of 3 July 2001, the Memorandum of Understanding of 20 May 1996 concerning the implementation of Security Council resolution 986 (1995) for a new period of 150 days, effective 4 July 2001 (see annexes).

(*Signed*) Kofi A. **Annan**

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Annex I

Letter dated 5 July 2001 from the Assistant Secretary-General for Legal Affairs in charge of the Office of Legal Affairs addressed to the Permanent Representative of Iraq to the United Nations

I have the honour to refer to resolution 1360 (2001), adopted by the Security Council on 3 July 2001, by which the Council decided that the relevant provisions of resolution 986 (1995) would remain in force for a new period of 150 days beginning at 00.01 hours, Eastern Daylight Time, on 4 July 2001. I should also like to refer to an exchange of letters between the Secretariat of the United Nations and the Permanent Mission of Iraq to the United Nations dated 6 December 2000 extending, in the light of Security Council resolution 1330 (2000) of 5 December 2000, the Memorandum of Understanding of 20 May 1996 between the Secretariat of the United Nations and the Government of Iraq on the implementation of Security Council resolution 986 (1995) for a period of 180 days, effective 6 December 2000.

In view of the foregoing, I have the honour to propose that the provisions of the Memorandum of Understanding of 20 May 1996 be extended for an additional period of 150 days, effective 4 July 2001.

It is understood that the distribution plans that have already been approved but have not yet been implemented shall continue to apply for goods purchased with oil revenues generated under the respective Security Council resolutions.

If your Government agrees to this proposal, I suggest that this letter, and your reply thereto, constitute an agreement between the Secretariat of the United Nations and the Government of Iraq. This, however, does not apply to the second sentence of your reply, which is a unilateral statement by the Government concerning matters outside the scope of the mandate of the Secretariat in relation to the present exchange of letters, and which, furthermore, as we understand it, does not affect the nature of the applicable resolutions adopted in accordance with relevant provisions of the Charter of the United Nations.

(*Signed*) Ralph **Zacklin**
Assistant Secretary-General for Legal Affairs
in charge of the Office of Legal Affairs

Annex II

Letter dated 5 July 2001 from the Permanent Representative of Iraq to the United Nations addressed to the Assistant Secretary-General for Legal Affairs in charge of the Office of Legal Affairs

I have the honour to inform you that the Government of the Republic of Iraq has agreed to the proposal contained in your letter of 5 July 2001 for the extension of the provisions of the Memorandum of Understanding between the Secretariat of the United Nations and the Government of the Republic of Iraq of 20 May 1996 for an additional period of 150 days, effective 4 July 2001. In this connection the Government of the Republic of Iraq wishes to confirm its position that it is not concerned with nor committed to any resolutions, arrangements, measures, concepts or orientations not provided for in the Memorandum of Understanding between the Secretariat of the United Nations and the Government of the Republic of Iraq of 20 May 1996 or not agreed upon by the Government of Iraq, and that the last sentence of your letter expresses the position of the Secretariat of the United Nations.

(*Signed*) Dr. Mohammed **Aldouri**
Ambassador
Permanent Representative of Iraq to the United Nations